

Alexandra Folie



Alexandra Folie advises and appears in a broad range of commercial disputes

QUALIFICATIONS

Master of Laws (NYU)
Bachelor of Laws (Hons)(Melb)
Bachelor of Commerce (Econ)(Hons) (Melb)

CORRESPONDENCE

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CHAMBERS

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COMMERCIAL LAW

Appellate | Banking & Finance | Class Actions | Commercial Arbitration | Competition | Contractual Disputes | Corporate Insolvency | Corporations & Securities | Equity & Trusts | Insurance | Private International Law | Real Property | Superannuation | Regulatory Investigations

TORT LAW

Appellate | Class Actions | Major Torts | Negligence

Alexandra Folie advises and appears in a broad range of commercial disputes. Alexandra's particular expertise includes corporations and securities, banking and finance, insolvency, property, and equity and trusts.

Before joining the bar, Alexandra was a senior associate in the litigation department at Ashurst (formerly Blake Dawson), where she practised for approximately six years. She worked on litigation in a number of jurisdictions, including the High Court of Australia, the Supreme Court of Victoria and the Federal Court of Australia. Alexandra was seconded for six months to the legal department of BHP Billiton.

Alexandra also worked in the legal department of the International Monetary Fund in Washington DC, where she worked on governance matters and country lending programs.

Alexandra holds a Master of Laws from New York University, where she specialised in international litigation, arbitration, conflict of laws and international economic law.

Liability limited by a scheme approved under the Professional Standards Legislation

Recent Cases

CLASS ACTIONS

Miciulus Superannuation Pty Ltd v CIMIC Limited: representing the applicant shareholders in a Federal Court securities class action (ongoing) (led by Peter Collinson KC).

Janssen v OnePath Custodians Limited & Ors : representing the applicant members of a superannuation fund in a Federal Court group proceeding against the superannuation trustee and ANZ (ongoing) (led by Kristine Hanscombe KC)

Kayler-Thomson v Colonial First State Investments Limited and Commonwealth Bank of Australia: representing the applicant members of superannuation funds in a Federal Court group proceeding against the superannuation trustees and CBA (ongoing) (led by Kristine Hanscombe KC) (e.g. [2021] FCA 854).

Krieger v Colonial First State Investments Limited: representing the applicant members of superannuation funds in a Federal Court group proceeding against the trustee (ongoing) (led by William Edwards).

Napier v Treasury Wine Estates Ltd: representing the plaintiff shareholders in Supreme Court of Victoria securities class action (ongoing) (led by William Edwards)

Clime Capital Limited v UGL Pty Ltd [\[2020\] FCA 66](#): represented the applicant shareholders in a Federal Court shareholder class action (led by Rachel Doyle SC).

Kelly & Ors v Willmott Forests Limited (in liq) & Ors : acted for Willmott Forests (in liquidation) in defending class action proceedings in the Federal Court (with Robert Craig and Kane Loxley).

COMMERCIAL MATTERS

Re Connective Services Pty Ltd [\[2018\] VSCA 229](#), [\[2017\] VSC 609](#): represented the defendant companies at trial and on appeal in a derivative leave application (led by Allan Myers AC QC and Bernie Quinn QC).

DC Payments v Vic Hotels & Ors: acted for the plaintiff company in Supreme Court proceedings for inducing

breaches of contract (led by Sam Horgan QC) (e.g. [\[2015\] VSCA 101](#), [\[2014\] VSC 535](#)).

Madden International v Lew Footwear [\[2015\] VSCA 90](#): acted in an appeal concerning the test for making an overseas defendant amenable to the Supreme Court's jurisdiction (led by Rodney Garratt QC).

McDonald's Australia v Bendigo and Adelaide Bank [\[2014\] VSCA 209](#): represented Bendigo and Adelaide Bank in an appeal concerning an agreement for lease and equitable liens (led by Rodney Garratt QC).

Commercial arbitration: acted for the respondent company in a commercial arbitration concerning reinsurance (led by Robert Dick SC and Terry Mehigan SC).

ICC Arbitration: acted for the respondent company in an ICC Arbitration (led by Penny Neskovicin).

REGULATORY MATTERS

ASIC v Westpac Banking Corporation: acting for ASIC in an application for civil penalty orders against Westpac in the Federal Court (ongoing) (led by Philip Solomon KC)

ASIC v Colonial First State Investments Limited [\[2021\] FCA 1268](#): acted for ASIC in an application for civil penalty orders and other relief against Colonial First State (led by Suresh Senathirajah QC)

ASIC v BT Funds Management Limited [\[2021\] FCA 844](#): acted for ASIC in an application for civil penalty orders and other relief against BT and Asgard in the Federal Court (led by Claire Harris QC).

ASIC v MyWealth Manager Financial Services [\[2019\] FCA 2107](#): acted for a defendant in successfully resisting ASIC's application for the appointment of receivers (unled).

ASIC v NSG Services Pty Ltd: acted for ASIC in a test case about the operation of the FoFA best interests legislation; construction of s 961B, s 961G and s 961L of the *Corporations Act 2001* (led by Bernie Quinn QC).

ASIC v Uglia Corporation Ltd [\[2016\] FCA 1099](#): acted for ASIC in an application to appoint provisional liquidators to the defendant companies (led by Michael Pearce SC).

ASIC v CME Capital Pty Ltd [\[2015\] FCA 1489](#): acted for two defendants in an application by ASIC for the appointment of provisional liquidators (unled).

Unled hearings and applications in the Supreme Court of Victoria, Federal Court of Australia and County Court.

Memberships

Victorian Bar - Commercial Bar Association

Member of the Board of Directors of List G Barristers